

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	4:09CR3068
Plaintiff,)	
)	Amended
v.)	MEMORANDUM AND ORDER
)	
LEONARDO CASTRO,)	
)	
Defendant.)	

The Court has been advised that the parties' have engaged in ongoing plea negotiations, and the defendant now requests permission to enter a plea of guilty.

IT IS ORDERED that:

The oral motion of defendant is granted and,

1. This case, insofar as it concerns this defendant, is removed from the trial docket based upon the request of the defendant.

2. A hearing on the defendant's anticipated plea of guilty is scheduled before the undersigned district judge on the 20th day of October, 2009, at 11:00 a.m., in Courtroom No. 1, United States Courthouse and Federal Building, 100 Centennial Mall North, Lincoln, Nebraska.

3. On or before the date set for the plea proceeding, counsel for plaintiff and for defendant shall provide to the assigned probation officer their respective versions of the offense for purposes of preparing the presentence investigation report.

4. The ends of justice will be served by granting such a motion, and outweigh the interests of the public and the defendant in a speedy trial, and the additional time arising as a result of the plea discussions and the

granting of this motion, **the time between the September 14, 2009 pretrial motion deadline and the anticipated plea of guilty** shall be deemed excludable time in any computation of time under the requirements of the Speedy Trial Act, for the reason that defendant's counsel requires additional time to adequately prepare the case, taking into consideration due diligence of counsel, the novelty and complexity of the case, and the fact that the failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B).

5. Defendant shall appear for this hearing.

DATED this 10th day of October, 2009.

BY THE COURT:

Richard G. Kopf
United States District Judge